

**HURWITZ STAMPUR & ROTH**  
ATTORNEYS AT LAW

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March 3, 2008

**BY HAND AND ECF**

Honorable Robert P. Patterson  
United States Senior Judge  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: United States v. Mary Fidone  
07 CR 889 (RPP)

Dear Judge Patterson,

In anticipation of the sentencing of Ms. Fidone on March 6, 2008, I enclose herewith a courtesy copy of the sentencing submission.

Very truly yours,



James Roth, Esq.

Encls.

cc. AUSA David Massey (By ECF)  
USPO Robert Flemen (By Fax)

JR:jpy

JR/FIDONE, M/SENT.LTR

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
UNITED STATES OF AMERICA,

**07 CR 889-04 (RPP)**

-v.-

MARY FIDONE,

Defendant.

-----X

**MARY FIDONE'S SENTENCING SUBMISSION**

JAMES ROTH, ESQ. (0811)  
HURWITZ STAMPUR & ROTH  
299 Broadway, Suite 800  
New York, NY 10007

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
UNITED STATES OF AMERICA,

**07 CR 889 (RPP)**

-v.-

MARY FIDONE,

Defendant.

-----X

**MARIE FIDONE'S SENTENCING SUBMISSION**

Marie Fidone respectfully makes the following submission in relation to her sentencing on March 6, 2008. As set forth below, the defendant respectfully submits that under the advisory sentencing guidelines, the applicable adjusted offense level is 10 and Ms. Fidone's Criminal History Category is I, resulting in a guidelines range of 6-12 months' imprisonment. When considered in conjunction with the factors set forth at 18 U.S.C. § 3553(a), a reasonable and appropriate sentence for Ms. Fidone is a sentence of one year's of probation.

**Procedural History**

Ms. Fidone appears before Your Honor pursuant to her plea of guilty on November 6, 2007 to a violation of 18 U.S.C. 371, conspiracy to operate an illegal gambling business. The plea was entered pursuant to a plea agreement.

**Plea Agreement**

The plea agreement sets forth the guidelines the parties believe apply to this case.

- Because the offense involves a violation of 18 U.S.C. 371 the offense level is found in §2X1.1, which directs to the substantive offense a violation of 18 U.S.C. 1955 which provides the base offense level of 12, pursuant to §2E3.1(a)(1)(A).
- Based on the defendant's statement and plea allocation a two-level reduction is warranted for acceptance of responsibility, pursuant to §3E1.1(a).
- In accordance with the above, the applicable Guidelines offense level is 10.

- The defendant has no criminal history points. Thus, she has a Criminal History Category of I.
- Based upon the calculations set forth above, the applicable sentencing guidelines range is 6 to 12 months' imprisonment, in Zone B which provides alternative substitutes for imprisonment.

The Presentence Report (the "PSR") adopted the Government's analysis in its entirety and recommends one year of probation coupled with six months home confinement.

### **Defendant's Objections to the PSR**

Defendant objects to PSR ¶ 17, the attribution to her in the third line, should be to Leo not Fidone.

Defendant objects to PSR ¶ 27. Although the defendant did permit Leo to utilize her apartment for approximately an hour at a time by no means was the "operation" operated exclusively from her apartment.

Defendant objects to PSR ¶ 28 that she "operated her own gambling operation," she did not.

### **KIMBOROUGH/GALL**

A pair of recent decisions clarifies that the Supreme Court meant what it said in *United States v. Booker*, 125 S.Ct. 738 (2005). In *Kimborough v United States*, 128 S.Ct. 558 (2007) and *United States v Gall*, 128 S.Ct. 586 (2007), the Court held that a sentence outside the Guidelines is not per se invalid, but rather the Court applies a reasonableness standard. In *Gall*, the Supreme Court held that a Court of Appeals may not require sentences that deviate substantially from the Guidelines range to be justified by "extraordinary circumstances." 128 S.Ct. 586. The Guidelines are but one of the §3553 factors to be considered and do not carry any special weight. "The Guidelines should be the starting point and the initial benchmark." *Id.* A judge must make an individualized assessment considering all the statutory factors.

### **Consideration of Sentencing Factors**

In determining a reasonable sentence, the sentencing judge is required to consider the factors set forth at 18 U.S.C. § 3553(a). These factors include the nature and circumstances of the offense; the history and characteristics of the defendant; the need for the sentence to reflect

the seriousness of the offense, to promote respect for the law, and to provide just punishment; the need for deterrence and to protect the public from further crimes of the defendant; and the need to avoid unwarranted sentence disparities among similarly situated defendants. 18 U.S.C. § 3553(a). Considering the § 3553(a) factors, a sentence below the advisory guidelines range is reasonable and appropriate.

1. *Nature and Circumstances of the Offense, and History and Characteristics of the Defendant.*

Under Section 3553(a)(1), the sentencing court must first consider “the nature and circumstances of the offense and the history and characteristics of the defendant.” 18 U.S.C. § 3553(a)(1). Section 3553(a)(2)(A) sets forth a related proposition that the sentence should “reflect the seriousness of the offense, [] promote respect for the law, and [] provide just punishment for the offense.

Ms. Fidone is a 64 year old native of East Harlem. Although she had brushes with the law 30 years ago, this case represents her only criminal conviction. She was an only child that lost her parents at a young age. See, PSR ¶ 58. Her father’s life as a “loan shark” undoubtedly had a profound impact on Ms. Fidone, as did the loss of her parents in her early twenties. She married Jose Del Nodal in 1992 who passed away the next year. See, PSR ¶ 62. She has no blood family members.

Ms. Fidone suffers from multiple conditions: spinal serosis, carpel tunnel syndrome, hypertension, high cholesterol, thoracic kyphosis, and high blood pressure. She may need surgery due to an enlarged thyroid. See, PSR ¶ 66. She has been receiving psychological counseling since 2005 and receiving medication to treat sleep deprivation, anxiety, and depression. See, PSR ¶ 70.

Ms. Fidone has demonstrated a solid and sustained work history from 1992 through 1996, she was employed as a customer service representative by Bantam Double Dell. Since 1998 she has been and continues to be a receptionist at Krieger and Prager, a law firm in New York City.

Ms. Fidone’s life has been marked by efforts to unselfishly help friends, neighbors, and co-workers, a trait which has garnered her “honorary” membership in many families.

Indeed, her relationship with Joey Leo and her failure to resist his request for assistance resulted in her participation in the instant offense. Ms. Fidone permitted Mr. Leo to utilize her apartment to conduct some his illicit activities in her absence. She acknowledges that she was aware that he was utilizing her apartment for gambling activities.

Ms. Fidone is intercepted on hundreds of calls with Mr. Leo. The calls reveal that Ms. Fidone's relationship with Mr. Leo was more than as an accomplice in the gambling organization. Ms. Fidone was a confidante to Mr. Leo who was a surrogate son to Ms. Fidone, a son she didn't have. The vast majority of the daily phone calls are of a personal nature.

Ms. Fidone garners high praise in the eighteen letters of recommendation from friends, employers, and co-workers. Attached hereto collectively, Exhibit A.

Strikingly, her present employer, Krieger and Prager, LLP, a law firm that was subject to a search warrant in the instant case, not only continues to employ her but praises her character. Additionally, attorneys and former employers Jacob Laufer and Michael Halberstam all extol her virtues. See, Exhibit A.

In the outpouring of support, more than one family claim her as "Aunt Marie," including the Alvinos; Bonavias, Loiaconos, and Milazzos. See, Exhibit A.

It is evident in the attached letters in support of Ms. Fidone that Ms. Fidone is a loyal and trusted friend of many in the community—loyal in this case to a fault.

2. *Need to Protect the Public from Further Crimes of the Defendant and Afford Adequate Deterrence.*

Section 3553(a)(2) also emphasizes that the Court consider the need to "protect the public from further crimes of the defendant" and "afford adequate deterrence to criminal conduct." Both of these principles have application here and both would be satisfied by a non-guidelines sentence. The defendant has learned her lesson and is committed to rehabilitating herself. She has shamed herself among her many friends, employers and community. The sentence will make clear to all, that those that violate gambling laws will be prosecuted and punished.

At 63 years of age and poor health, Ms. Fidone has received more than a wake-up call by her arrest. Indeed, she has been obsessed with anxiety over the ramifications of her actions.

3. *Need to Avoid Unwarranted Sentence Disparities.*

Additional relevant factors in Section 3553(a) include "the need to avoid unwarranted sentence disparities among defendants with similar records who have been found guilty of similar conduct." 18 U.S.C. § 3553(a)(6).

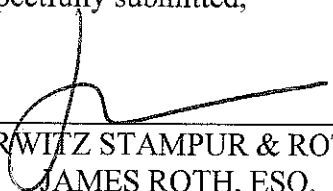
To date, counsel is aware of only defendant Joseph Pullo's sentence of four months home confinement and one year probation. Ms. Fidone's personal circumstances and offense conduct compel a less harsh sentence. The cost of home confinement outweighs any legitimate purpose served by imposing such a sentence.

**CONCLUSION**

For the foregoing reasons, the defendant respectfully submits that the Court should impose a sentence of one year probation.

Dated: New York, New York  
March 3, 2008

Respectfully submitted,



HURWITZ STAMPUR & ROTH (0811)  
By: JAMES ROTH, ESQ.  
299 Broadway, Suite 800  
New York, NY 10007

Attachs.

cc. AUSA David Massey (By ECF)  
USPO Robert Flemen (By Fax)

JR:jpy

# EXHIBIT A



KRIEGER & PRAGER, LLP  
ATTORNEYS AT LAW

SAMUEL M. KRIEGER  
STEVEN D. PRAGER

ALAN I. HAYMAN  
RONALD J. NUSSBAUM  
OF COUNSEL

39 BROADWAY  
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February 25, 2008

Honorable Robert P. Patterson  
United States District Judge  
United States District Court  
500 Pearl Street  
New York, NY 10007-1312

RE: United States v. Marie Fidone  
07 CR 889 (RPP)

Dear Judge Patterson:

I am a member of the law firm of Krieger & Prager, LLP. Marie Fidone has been our receptionist for approximately 9 years. During this time she has proven herself to be a dedicated, loyal and diligent employee.

After Marie's arrest and subsequent plea, my partner and I were uncertain as to whether or not we wanted her to remain in our employ. We ultimately decided that she has never been dishonest with us in any manner whatsoever, and that we would keep her as our receptionist. We believed then and still believe now, that she would not jeopardize our office and our practice. Our faith in her was rewarded by her continued loyalty to us and diligence in her work.

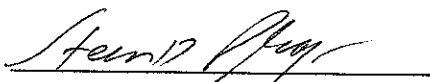
She has acknowledged to us that what she did was wrong and I have confidence that she can lead a productive and law-abiding life in society and in the workforce.

I thank you for this opportunity to present our comments in this matter.

Very truly yours,

KRIEGER & PRAGER, LLP

By:

  
Steven D. Prager

SDP/mc

LAW OFFICES OF  
JACOB LAUFER  
65 BROADWAY, Suite 1005  
NEW YORK, NEW YORK 10006

JACOB LAUFER\*

TELEPHONE (212) 422-8500

FAX (212) 422-9038

\* Also admitted in the District of Columbia

February 26, 2008

Hon. Robert P. Patterson  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: United States v. Marie Fidone, 07 Cr. 889 (RPP)

Dear Judge Patterson,

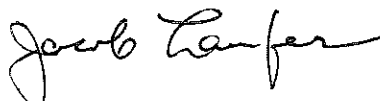
I write on behalf of Marie Fidone, who is to be sentenced by Your Honor in connection with her guilty plea to federal gambling offenses. Marie served as the receptionist for a suite of offices that I shared from December 1999 until May 2006. In this setting, I interacted with her on almost a daily basis during the work week for over six years.

She is a responsible, diligent person, and has a strong work ethic. She has consistently sought to be helpful, both in response to specific requests, and on her own initiative. I and the others in our suite have always trusted her implicitly, and found her to be a person of honesty and integrity.

Apart from this, she is a genuinely decent person, who cares for others, and has always been attentive to the well being of all of the people in the suite. When, several years ago, Philip Edelbaum, who shared our suite, took ill (he has since passed away), she went out of her way to facilitate the upkeep of his office and his communications with clients.

I urge Your Honor to consider these laudable character traits, when imposing sentence upon Ms. Fidone.

Very truly yours,

  
JACOB LAUFER

LAW OFFICES OF  
**MICHAEL J. HALBERSTAM** Esq. P.C.  
3711 SHORE PARKWAY  
BROOKLYN, NEW YORK 11235

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(718) 769-7000

FAX  
(718) 769-4302

February 27, 2008

Hon. Robert Patteron,  
Senior District Judge  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: Marie Fidone  
US v. Fidone  
Docket No. 07 CR 889-04(RPP)

Your Honor,

I write with respect to the above defendant, who is scheduled to be sentenced before you on March 6, 2008.

I have known Marie Fidone since 1999, when my law firm began to share space with another law firm by whom she was employed. She frequently performed work for me, and we maintain a friendship to this day.

During all the time I have known her, I have found her to be extremely sincere and caring in all her relationships. In my experience she has always been honest and forthright, and I would not hesitate in trusting her with sensitive information or even money. I am aware that Marie has pleaded guilty to crimes involving illegal gambling activity, and I do not presume to express any opinion about the charges against her, since the matter deals with facts I know nothing about. However, I can state that I was surprised to hear that she had been accused of such activities, since the person I know simply would not have done such things.

Marie is a person who is dedicated to friends and family in the extreme. Frequently, she is the first to remember that a sick person needs to be called, or that a lonely person needs some conversation. She is generous with her time, and literally beloved by all who come into contact with her. I can only assume that whatever she has done came about as the result of circumstances which caused her to behave in an uncharacteristic way. There is no reason to believe that she will not have learned whatever lesson this experience has taught her. I implore the Court to show her whatever

leniency is possible under the law, since she is a very good person, whose presence brings joy to many, who want to have her around.

I am grateful to have had this opportunity to address myself to Your Honor in this matter

Respectfully,

A handwritten signature in black ink, appearing to read "Michael J. Halberstam", written over the printed name.

Michael J. Halberstam



41 Georgia Ave  
Long Beach, NY 11561  
P/F 516.608.0213

Honorable Robert P. Patterson, United States District Court Judge,

My name is Jo Ann Alvino. I have been married to James Joyce for 13 years this March. My husband is the owner of Square Interiors, Inc. and I am the office manager. Please know that Marie Fidone had been part of my life since the day I was born (March 19<sup>th</sup>, 1974) and part of my husband's since we met in 1992. She may not be a blood relative, but she is our family. She was my conformation sponsor, and my 3 children lovingly refer to her as Aunt Mary. We are both fully aware of the charges against her and she is fully aware of the mistake she has made. What you need to know about her is how she is always there for us. From when I was a teenager just fighting with my mother, right up until now that I am married and we are parents. We are always able to call her, any time, any place, to talk or complain about anything. She always has time to listen and advice to give (not that I always take it!!). Now, when my husband and I are crazed with work and life, there is only one person we can call, that is Aunt Mary. She will always make the time to come out and spend the day with our boys (ages 6 and 3-not something too many people will attempt). They love when she comes to Long Beach and they walk to the beach to feed the birds or go the playground or just to the corner pharmacy to buy goodies. Our daughter (age 13) also loves to spend time with Aunt Mary, they go to the diner for lunch or just walk around the mall. Marie is a sweet, loving, kind hearted person, and you just need to see her patience with my children to know how true this is. We beg you to be lenient with her at sentencing.

Thank You,

A handwritten signature in cursive script, appearing to read "Jo Ann Alvino".

Jo Ann Alvino

A handwritten signature in cursive script, appearing to read "James Joyce".

James Joyce

ANAMARIA BONAVIA  
P.O. Box 769  
South Fallsburg, New York 12779

February 27, 2008

Honorable Robert P. Patterson  
United States District Judge  
United States District Court  
500 Pearl Street  
New York, New York 10007-1312

Re: United States v. Marie Fidone  
07 CR889 (RPP)

Dear Judge Patterson:

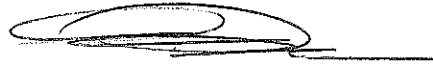
I have known Marie Fidone for approximately 25 years. I met Marie through my mother. She has been a very good friend throughout the years. She was very helpful to me in raising my children and helping me to care for my mother who was terminally ill. My children have always known Marie to be a part of our family and refer to her as "Aunt Marie".

Marie is a very dedicated and responsible person. Approximately 10 years ago, I recommended her for the position of receptionist at Krieger and Prager, Esqs. where I worked for approximately fifteen years. Marie always went beyond her duties to help everyone in the office.

Although Marie and I do not work together anymore, we remain very good friends.

I ask that the court be lenient of Marie as I know that she is remorseful for what she has done.

Very truly yours,



ANAMARIA BONAVIA

February 8, 2008

To: Honorable Robert P. Patterson,

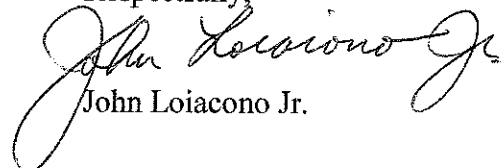
My name is John Loiacono Jr. and I'm 31 years old. It is with great privilege that I write to you about Marie Fidone. I know Marie Fidone all my life, literally. She's been close friends with my parents for so many years, I consider her an aunt.

Marie Fidone helped me out a lot not too long ago. I went on vacation with a friend of mine to South Beach, Florida. After getting to our rooms, someone tried breaking into our rooms the first night we were there. Feeling uneasy about the whole situation, I called my mother and she called Marie, who at the time was on vacation in Fort Lauderdale. Marie rented a car, drove to South Beach, picked us up, and drove us to a hotel in Fort Lauderdale. I couldn't thank Marie enough that day. Marie in the past has taken me to the movies, gone dancing together, went bowling, and has eaten over my house a million times. Marie truly is one of the most gracious, kind, thoughtful, caring, loyal, dedicated, charming, witty, intelligent, trustworthy people I know.

I could go on for days about how great Marie is, and the many qualities she possesses that were not mentioned above. Instead I would simply like to say that I think the world of Marie, because she is a really great person. She is number one in my book. I would recommend Marie for just about anything. I know of Marie's situation, and I know for a fact that she is very remorseful for her actions. I also offered to come up to New York, to be with her on March 6, 2008.

If you have any questions, please feel free to contact me.

Respectfully,



John Loiacono Jr.

February 21, 2008

To: Honorable Robert P. Patterson, United States District Court Judge

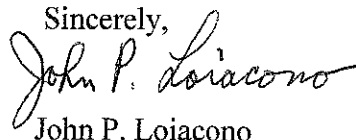
I'm writing this letter on behalf of Marie Fidone. My name is John P. Loiacono. I'm 63 years old. I'm a retired supervisor of The New York City Department of Transportation, with 35 years of service.

I met Marie in 1964. Marie introduced me to my wife in 1965. We're married for 33 years. Marie has been a very close friend of the family since I met her. We've had many dinners together. When Marie couldn't make it for dinner, my wife would save the food and we would bring it to her. Marie is as much family to me as anyone else in my family.

I'm sure if Marie knew the consequences of what she did, she would not have done it.

My wife, my son and I live in Florida now because I couldn't afford to live in New York on a city pension. If Marie wants me and my family to be with her in her time of need on March 6, 2008, we will be there. Please consider this letter in your decision. Please don't take Marie away from us. I will do whatever I could for Marie.

Sincerely,

A handwritten signature in cursive script that reads "John P. Loiacono". The signature is written in dark ink and is positioned above the printed name.

John P. Loiacono



February 9, 2008

To: Honorable Robert P. Patterson, United States District Court Judge

Dear Judge Patterson,

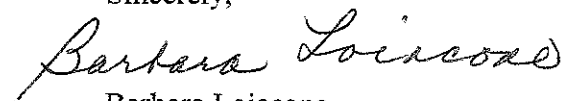
I am writing this letter on behalf of Marie Fidone. My name is Barbara Loiacono and I'm 63 years old. I've know Marie since 1955, when we attended Our Lady Of Mount Carmel grammar school together.

Marie was a product of a neighborhood up-bringing. Marie was on her own at a young age. Her mother passed away soon after I met her. Marie was always worried about taking care of herself because she had no family, and very little money. My mother had taken her in for a while. Marie always worked hard to make ends meet. As we grew older, Marie was responsible for introducing me to my husband, John Loiacono, in 1965. Marie is like a sister to me, and has been a big part of my family. I've never pried into Marie's financial affairs, but over the years I knew she had concerns about her financial situation, as well as her medical situation.

Marie Fidone is truly one of most considerate, kind, trustworthy people I know. Marie is the type of person that will always look to lend a helping hand whenever she can, even though she can't help financially, she is always there for moral support. I wish I could be near her in New York in her time of need.

Please feel free to contact me if you have any questions.

Sincerely,

  
Barbara Loiacono



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CITIPAK DELIVERY SYSTEMS, INC

TEL 212.265.9080

FAX 212.581.7416

February 25, 2008

Honorable Robert P. Patterson  
United States District Judge  
United States District Court  
500 Pearl Street  
New York, NY 10007-1312

RE: United States v. Marie Fidone  
07 CR 889 (RPP)

Dear Judge Patterson:

My name is Rose Fernandez. I reside at 320 East 73<sup>rd</sup> Street, New York, New York 10021, I am the President and owner of Citipak Delivery Systems, Inc.

I have known Marie Fidone for approximately 26 years, both on a professional level and personal. On a personal level, Marie was a dear friend of my mother's, now deceased, always lending a helping hand when needed. Through my mother, I met Marie and we became friends. Since the inception of our friendship she has always been honest and a very loyal friend. She has been through the birth of all of my three children and the death of my husband and continues to be part of our family.

Marie is known to lend-a-helping hand, even if it means putting herself aside. There has been many a nights when Marie has been with me and my family through our heartaches, getting minimal sleep and still showing up for work. As you might know, Marie does not have any "living relatives", but my family considers her ours.

Marie Fidone has worked for me as a salesperson from 1996 to 1997. During her employ at Citipak Delivery Systems, I can honestly say that she has been nothing less than a dedicated, loyal and diligent employee. Marie was always ready and able to do any tasks asked of her. Marie's termination was a difficult one to make, as she was an asset to my corporation, but one that had to be made, as I was down-sizing.

I was informed of Marie's arrest the morning after and was ready to come to her aid and post bail, if needed. I can honestly say that Marie's arrest was a shock to me, as I have known her to be nothing less than honest, loyal and a dedicated individual, more than others. There has been many sleepless nights for Marie, as she is not only regretful for what has happened, but her health is failing.

Your Honor, I respectfully request that the Court be lenient when sentencing Marie, as I know she has been suffering ever since this has happened and is truly sorry.

Should you need any further information, please feel free to contact me at 212-265-9080.

Very truly yours,



Rose Fernandez

President

To: Honorable Robert P. Patterson, United States District Court Judge

Dear Sir,

I am writing this letter to you on behalf of Marie Fidone, whom I understand will be before you for her sentencing hearing in March.

I have known Marie since 1995 and met her while on vacation with mutual friends. Throughout the years our relationship has evolved and I have gained a great deal of insight into her life.

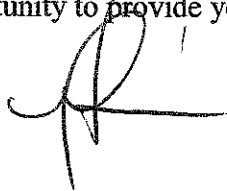
I learned that Marie was orphaned as a young girl and spent much of her early years surviving without the many support systems most of us take for granted. Without parents or siblings to guide and assist her she was forced to abandon any aspirations of higher education and sadly had no alternative but to learn to fend for herself in New York City. She often made reference to the fact that she was "raised by the neighborhood". Despite these obstacles; she has always worked hard to be self sufficient and has never asked for financial assistance. She is the proudest American I have ever encountered in my life.

While I do not know the particulars of Marie's finances, I know that day to day existence is always a struggle to make ends meet. It has always been difficult for her to find employment due to her limited education and she often discussed her fears of becoming ill and not having health insurance and no family to care for her. Despite her difficulties, Marie is always the first person to offer assistance to those around her, even if it means doing without for herself. She is a generous and compassionate woman who would never intentionally cause any harm to anyone. I truly believe that life has never really given Marie a break; her life has been countless obstacles that she has had to overcome; nothing has ever come easy to her.

Once again, I do not know the particulars of Marie's transgression of law. I have respected her privacy and never asked for details. She is clearly humiliated in the presence of her friends and extremely remorseful for her choices. She feels she has disappointed all those who care for her, which in truth is the only family she knows.

I thank you for the opportunity to provide you with this letter for your consideration.

Mara Faccenda RN  
Sales Director  
Bright Imaging Systems



1932 Piccadilly Circle  
Cape Coral  
Florida  
33991

February 14, 2008

Christine Corker  
77 Universe Drive  
Levittown, New York 11756

Honorable Robert P. Patterson, United States District Court Judge

Re: Ms. Marie Fidone sentencing hearing.

Dear Judge Patterson,

I have known Marie Fidone for most of my life. I was four years old when we first met on an Easter Sunday. I am now 56 years old. Marie, who is 7 or 8 years older than I has been a wonderful friend to me throughout my life. This recent miss-step, which I know has filled her with remorse, is not an accurate indicator of Marie's true character. She is a wonderful, loyal and generous individual and she has the most resilient spirit of anyone I have ever known.

Marie had a very difficult childhood. Her mother passed away when she was 14 or 15 years old. Her father married again when she was 15, and instead of including her in his new household, he rented an apartment for her on the opposite end of Manhattan. She had no parental supervision, at an age when guidance and adult understanding is critical. Never-the-less, Marie grew into a bright high-functioning adult, with many close friendships and the respect of all who know her. Despite the fact that her father all but abandoned her, depriving her of a family life, Marie cared for her father in his old age. She took care of all his needs: healthy food, medical visits, house-keeping, and all the responsibilities associated with caring for a senior in ill health. Finally, she made his last arrangements, and did so with love, never showing any signs of resentment.

Since Marie is a few years older than I am, she was able to drive long before I was. She always took everyone to beach during the summer and was kind and generous taking others shopping and to doctor's appointments. My own mother, who was widowed when I was 7, was given helpful rides by Marie on more than a few occasions.

Besides being a lovely person, Marie is a conscientiously hard worker. In the 1990s I was a Senior Marketing Manager for Bantam Doubleday Dells' Trumpet Club division. The department I headed had approximately 40 employees. Marie was one of them. She always took on extra projects, went the

extra distance to assist fellow employees and customers, and was a source of ideas for streamlining day-to-day operations and service. In short, she was a shining example to her fellow employees and she was made a supervisor in record time.

I could go on and on about Marie's good qualities. However, I will restrain myself and get to the point. Please, please be lenient with my dear friend Marie. She is deserving of any consideration you can give her. She is not in the best health and an incarceration would be a terrible hardship. I am sure she has learned from this experience and has been suffering quite a lot, already.

Thank you for your kindness, patience and consideration.

If you wish to reach me, my telephone number is 516 731-4036. I am always here.

Thank you, again.

Sincerely

A handwritten signature in cursive script that reads "Christine Corker". The signature is fluid and elegant, with a large loop at the end of the last name.

Christine Corker

26 February 2008

Honorable Robert P. Patterson  
United States District Court Judge

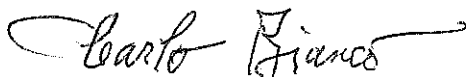
Dear Judge Patterson:

*I am a retired Professor of The City University of New York's Graduate School and University Center. I am writing to provide a picture of the friendship of over a period of 20 years which I have known Ms. Marie Fidone.*

*As a neighbor and friend, Ms. Fidone has been a key person in my life. There was a time when I was expecting the demise of my beloved mother and Ms. Fidone came to our home on a daily basis to ask if she could be of any help to us and telephoned us several times a day to make sure things were going well. She was always there for us and did food shopping, pharmacy pick ups, etc. In addition, she came to our house during weekends and cooked meals and cleaned our apartment. Marie Fidone is a generous, kind lady who became a very dear friend and someone we depended on at our time of need. My mother has now passed on hopefully to a better life, and it was Marie Fidone who saw me through the first couple of years after her death.*

*Presently I travel outside of the United States many months of the year, and Marie has continued her friendship by looking after my home and seeing that things are in order when I am not there without expecting anything in return. I am not aware of the details of the problem she now finds herself involved with, but I appeal to you in having leniency notwithstanding whatever aggression of the law she now finds herself involved with. Ms. Fidone is is a respectful, considerate, most giving and rare human being who is always there for many of our neighbors at times of need. We count on her. . and she is always there for us.*

Very truly yours,

A handwritten signature in cursive script that reads "Carlo Bianco". The signature is fluid and elegant, with a long horizontal flourish extending to the right.

Carlo Bianco  
531 East 78 Street, 2-H  
New York, NY 10075

February 25, 2008

Honorable Robert P. Patterson  
United States District Court Judge

Judge:

My name is Ziad Emil Habayeb and I reside at 2423 SW 132 Way, Davie, FL 33324. I am a Senior Vice President of Investments and a Portfolio Manager at Smith Barney. I write to you as a friend and business associate of Marie Fidone for the past 20 plus years.

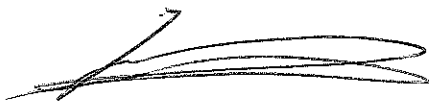
Marie, you Honor, is a good hearted individual with loyalty and care for her family, friends, and people in general.

She is very caring and by no means has ever meant to cause nor inflict deliberate harm on a human being nor animal.

To the contrary, Miss Fidone will make great sacrifices to help and please those she cares about. It is unfortunate that she has made some bad judgment calls and was associated with unlawful activities. I truly believe that her core nature is a good one and yet her weakness and vulnerability lead her down the wrong path.

I kindly ask you to consider my stated personal experience and knowledge of Miss Fidone when rendering your prudent judgment on her behalf.

Respectfully,

A handwritten signature in black ink, appearing to read 'Ziad Habayeb', with a stylized, sweeping flourish extending from the end of the name.

Ziad Habayeb



February 26, 2008

Honorable Robert P. Patterson  
United States District Judge  
United States District Court  
500 Pearl Street  
New York, NY 10007-1312

RE: United States v. Marie Fidone  
07 CR 889 (RPP)

Dear Judge Patterson:

My name is Louis A. Gonzalez. I reside at 531 East 78<sup>th</sup> Street, Apt. 4D, New York, New York 10028, and am the proprietor of Louis' Hair World.

I have known Marie Fidone for approximately 34 years. To me she is family, her friends are her family. Marie is the only one out of all my friends that has no living relatives. Have you ever met or known someone without family, very rare.

Marie is a very good human being. She is considerate of others, first to run to their rescue. Marie wants to be related to her close friends. At times she is a godmother to her friends children. Her true friends love her. She is a friend to have.

Marie has a good heart and takes anyone into her home, including stray animals and feeds the birds outside. She helps everyone, and because of this she is sometimes used by those who she thinks are her friends.

When I heard she was arrested, I ran to her rescue and posted a bail bond of \$100,000.00 towards my business Louis' Hair World, Inc., located at 48 East End Avenue, New York, New York 10028. I did not hesitate. I feel her pain.

Marie lives alone with her dog, Lucky. She is always trying to help everybody. I tell her "stop trying to help everyone". She means no harm. Always searching, a need to be loved. This all stems from her childhood - lack of family support and having to nurture herself, as her mother died when she was 14 years old and her father was void.

Your Honor, Marie knows she is not blameless and did a very stupid thing. She needs a chance. Please have a little compassion for my friend, Marie. She has psychological and health problems.

Yours truly,

/s/

LOUIS A. GONZALEZ

To Whom It May Concern:

I have known Mary for over 40 years and we have remained friends throughout that time. We used to go out regularly in our teens and twenties with all our friends to dinner and other events. We still see each other frequently at parties and reunions.

There is a strong bond between all our friends that grew up together in East Harlem. We stayed together through the good times and the bad. Mary has always been there for me when I needed a friend. She is always willing to listen and help out. She has a kind heart and a sympathetic ear.

She has strong beliefs and values and always tries to do the right thing. She loves her family and friends and will do anything for them. She is proud to have always lived in NYC and proud to be an American. She has a passion for politics and current events. She is a hard worker and has been on her own, supporting herself all these years.

I know I can always count on Mary and I know I will always be her friend. She is a good person and I am proud to call her my friend.

Please feel free to contact me if you require additional information.

Regards,

A handwritten signature in black ink, appearing to read "Frank Sinicola", written over a light gray rectangular background.

Frank Sinicola  
6 Nursery Lane  
Rye, NY 10580

**BEACH TRAVEL, INC.**

30 B West Park Ave.  
Long Beach, NY 11561  
516-208-7979

Fax 516-208-7981

Email: [DBeachTravel@optonline.net](mailto:DBeachTravel@optonline.net)

January 26, 2008

Attn. Honorable Robert Patterson  
United States District Court Judge.

RE: Marie Fidone

My name is Don Ruggiero I reside at 1 Twin Place Island Park New York 11558  
I am a Travel Consultant.

I have known Ms.Fidone for over 40 years, she has been a good person and a  
loyal friend thought out the years, and I never knew her to have had any trouble  
with Law be for this transgression.

Sincerely,

Don M Ruggiero

A handwritten signature in black ink, appearing to read "Don M. Ruggiero", written in a cursive style.

**PAULA M. MERKLE**  
124 Jervis Avenue  
Farmingdale, New York 11735

February 25, 2008

Hon. Robert P. Patterson  
United States District Court

RE: United States vs. Marie Fidone  
07 CR889 (RPP)

Dear Judge Patterson:

I am writing this letter to provide a character reference for Ms. Marie Fidone whom I have known for approximately nine years. I met Marie when she became employed at the firm of Krieger & Prager, LLP in January of 1999, and where I have been employed since 1981.

I have found Marie to be a very professional, considerate, good hearted, and trustworthy person. Marie is a hard-working and highly dedicated worker. She is always willing to lend a hand, and go the extra mile even if it means going completely out of her way. I believe she would literally give a person the shirt off of her back if they just asked. Marie also demonstrates the same giving and generous nature in her free time.

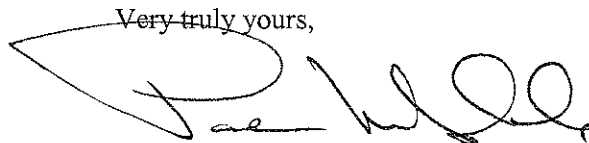
During the past few years, Marie and I have also become close friends. I find her to be a most loyal, honest and supportive individual who has the ability to see and understand things from another person's perspective. She is always tuned into how another person might "feel" in a given situation, and will try to give whatever support and/or comfort she can.

To tell the truth, I really can't think of anything of consequence on the negative side of the personality ledger when it comes to Marie. All in all, I would have to say that Marie is a fine, well-balanced person with an abundance of positive qualities.

With regard to the matter presently before this court, I strongly believe Marie has definitely learned her lesson, and given her age and health, I respectfully request this court to show some leniency.

If I can be of further assistance, please feel free to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Paula M. Merkle', with a large, stylized initial 'P'.

PAULA M. MERKLE